



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,433	01/16/2001	James Steven Hayko	33262	5201
116 7590 06/07/2007 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			EXAMINER KANG, PAUL H	
			ART UNIT 2144	PAPER NUMBER
			MAIL DATE 06/07/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

09/761,433

Applicant(s)

HAYKO ET AL.

Examiner

Paul H. Kang

Art Unit

2144

All participants (applicant, applicant's representative, PTO personnel):

(1) Paul H. Kang, USPTO.(3) Xiang Lu, Reg. No. 57,089.(2) John Harris, Reg. No. 39,465.

(4) ____.

Date of Interview: 30 May 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: ____.

Claim(s) discussed: 1.

Identification of prior art discussed: Hamilton et al. (USP 6,009,464) and Balasubramaniam et al. (USP 6,701,411).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Art Unit: 2144

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

1. The claimed invention was discussed in light of the prior art of record. Specifically, applicants argued that Hamilton failed to teach or suggest, either alone or in combination, establishing a bidirectional communication pipe enabling exclusive communication between the server process and the client process. The applicants noted that “communication pipe” as claimed requires that it be an exclusive communication link between the client and server processes within the communication link between the client and server. The examiner disagreed.
2. The examiner noted that Applicants argue limitations which are not essential to the scope of the prior art. The definiteness of the language employed must be analyzed, not in a vacuum, but always in light of the teachings of the prior art and of the particular application disclosure as it would be interpreted by one possessing the ordinary level of skill in the pertinent art. Insofar, the claims have been given the broadest reasonable interpretation consistent with the specification and the prior art, since the applicant may then amend his claims, the thought being to reduce the possibility that after a patent is granted the claims may be interpreted as giving broader coverage than is justified. Therefore, applicant’s arguments regarding the “communication pipe within the communication link,” and “exclusive communication” are not given weight as to the patentability of the claimed subject matter.

Art Unit: 2144

3. The examiner further noted that a “communication pipe,” not having a more specific definition provided in the Specification, is interpreted as merely a connection between a client process and a server process. Additionally, “exclusive communication” is interpreted as a communication from a specific client process to a specific server process. Therefore, the prior art teaches the claimed invention.

Hamilton teaches in col. 6, lines 10-26 a client process that communicates with a server process to retrieve data from said server process. This communication is carried out over a “connection between a client process and a server process,” e.g. communication pipe. This communication is “exclusive” to said client process and said server process as it is not a general connection but a specific connection between the two processes.

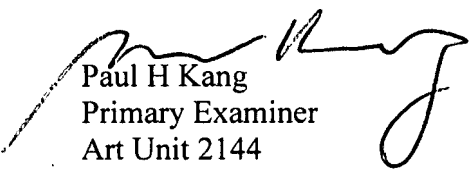
4. No formal agreements were reached. However, the examiner agreed that claim amendments incorporating “a communication pipe within a communication link” in addition to limitations regarding security features for the communication link may overcome the prior art of record. See instant Specification, ¶¶ 0047-0049 and 0052-0053. Further, the applicant suggested amendment “direct exclusive communication” intended to overcome the prior art’s implementation of ORB and stub would be given further consideration in due course.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on IFP.

Art Unit: 2144

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Paul H Kang
Primary Examiner
Art Unit 2144